

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

VIVIAN McGEE,

Plaintiff,

Case Number: 06-10952

v.

JUDGE PAUL D. BORMAN  
UNITED STATES DISTRICT COURT

CITY OF ROYAL OAK, CITY OF ROYAL  
OAK POLICE DEPARTMENT, and JOHN  
DOES I-V,

Defendants.

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**ORDER GRANTING PLAINTIFF'S APPLICATION FOR LEAVE TO AMEND  
COMPLAINT (DOCK. NO. 34)**

Now before the Court is Plaintiff's Application for Leave to Amend Complaint. Under Federal Rule of Civil Procedure 15, a Complaint may be amended:

once as a matter of course at any time before a responsive pleading is served or, if the pleading is one to which no responsive pleading is permitted and the action has not been placed upon the trial calendar, the party may so amend it at any time within 20 days after it is served. Otherwise a party may amend the party's pleading only by leave of court or by written consent of the adverse party; and leave shall be freely given when justice so requires. A party shall plead in response to an amended pleading within the time remaining for response to the original pleading or within 10 days after service of the amended pleading, whichever period may be the longer, unless the court otherwise orders.

Pursuant to Rule 15, the Court grants Plaintiff leave to amend her Complaint. The Court does not find the application was made in bad faith, or that there was lack of notice or undue delay in filing. Additionally, the Court notes that Plaintiff originally listed John Does I-V as Defendants, and the fact that Plaintiff now wishes to add the actual names of the John Does to the Complaint

should not be a surprise to Defendants. Defendants are prejudiced in any way in any way by this amendment. It is also noted that discovery is now closed, and that Plaintiff has not requested additional discovery.

According, the Court GRANTS Plaintiff's Application for Leave to File an Amended Complaint.

**SO ORDERED.**

s/Paul D. Borman  
PAUL D. BORMAN  
UNITED STATES DISTRICT JUDGE

Dated: June 11, 2007

CERTIFICATE OF SERVICE

Copies of this Order were served on the attorneys of record by electronic means or U.S. Mail on June 11, 2007.

s/Denise Goodine  
Case Manager